

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

OMAR MURO,

Plaintiff

v.

KILOLO KIJAKAZI,  
Acting Commissioner of Social Security,

Defendant

Case No. 1:21-CV-00685-GSA

**STIPULATION AND PROPOSED  
ORDER FOR AWARD OF ATTORNEY'S  
FEES UNDER THE EQUAL ACCESS TO  
JUSTICE ACT (EAJA)**

IT IS HEREBY STIPULATED by and between the parties through their undersigned counsel, subject to the approval of the Court, that Plaintiff shall be awarded attorney's fees under the Equal Access to Justice Act (EAJA), 28 U.S.C. sec. 2412(d), in the amount of TWO THOUSAND EIGHT HUNDRED AND EIGHTY-FIVE dollars and FORTY-NINE cents (\$2,885.49). This amount represents compensation for all legal services rendered on behalf of Plaintiff by counsel in connection with this civil action, in accordance with 28 U.S.C. sec. 2412(d).

After the Court issues an order for payment of EAJA fees and expenses to Plaintiff, the government will consider the matter of Plaintiff's assignment of EAJA fees and expenses to Plaintiff's attorney. The government's ability to honor the assignment will depend on whether the fees and expenses are subject to an offset allowed under the United States Department of the Treasury's Offset Program pursuant to Astrue v. Ratcliff, 130 S.Ct. 2521 (2010). After the order of EAJA fees and expenses is entered, the government will determine if they are subject to an offset. If it is determined that Plaintiff's EAJA fees and expenses are not subject to an offset under Astrue v. Ratcliff, 130 S.Ct. 2521 (2010) and the Department of Treasury's Offset Program, then the check for EAJA fees and expenses shall be made payable to Jacqueline A. Forslund, based upon Plaintiff's assignment of these amounts to Plaintiff's attorney. The parties agree that whether these checks are made payable to Plaintiff or Jacqueline A. Forslund, such checks shall be mailed to Plaintiff's attorney. This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA attorney fees, and does not constitute an admission of liability on the part of Defendant under the EAJA or otherwise. Payment of the agreed amount shall constitute a complete release from, and bar

1 to, any and all claims that Plaintiff and/or Plaintiff's Counsel may have relating to EAJA attorney  
2 fees in connection with this action.

3  
4 Respectfully submitted,

5 Date: April 11, 2022

JACQUELINE A. FORSLUND  
Attorney at Law

6  
7 /s/Jacqueline A. Forslund  
8 JACQUELINE A. FORSLUND  
9 Attorney for Plaintiff

10 Date: April 11, 2022

PHILLIP A. TALBERT  
United States Attorney  
LISA A. THOMAS  
Regional Chief Counsel, Region VII  
Social Security Administration

13 /s/ Sarah E. Preston  
14 SARAH E. PRESTON  
15 Special Assistant United States Attorney  
16 \*By email authorization  
Attorney for Defendant

17 ORDER

18 IT IS SO ORDERED.

19  
20 Dated: April 11, 2022

/s/ Gary S. Austin  
UNITED STATES MAGISTRATE JUDGE